
By: **Delegates Zirkin, Carter, Nathan-Pulliam, and O'Donnell**
Introduced and read first time: February 6, 2003
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 20, 2003

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Causes - ~~Out-of-Home Placements~~ Juvenile Counselors -**
3 **Monitoring**

4 FOR the purpose of requiring a ~~local department of social services for a child in need~~
5 ~~of assistance, or a juvenile counselor for a child adjudicated delinquent,~~
6 committed to an individual or to a certain agency or institution to visit the child
7 at the child's placement at certain minimum intervals after the child has been
8 ~~committed;~~ authorizing a the juvenile court to order more frequent visits; and
9 generally relating to children in out-of-home placements the monitoring of
10 certain children by juvenile counselors.

11 BY repealing and reenacting, with amendments,
12 Article - Courts and Judicial Proceedings
13 Section ~~3-826~~ and 3-8A-25
14 Annotated Code of Maryland
15 (2002 Replacement Volume)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Courts and Judicial Proceedings**

19 ~~3-826.~~

20 (a) (1) ~~Unless the court directs otherwise, a local department shall provide~~
21 ~~all parties with a written report at least 10 days before any scheduled disposition,~~
22 ~~permanency planning, or review hearing under § 3-819 or § 3-823 of this subtitle.~~

1 (2) The time requirements specified in paragraph (1) of this subsection
2 do not apply to an emergency review placement hearing under § 3-820 of this
3 subtitle.

4 (b) If a child is committed to a person or agency under this subtitle[, the]:

5 (1) ~~THE LOCAL DEPARTMENT SHALL VISIT THE CHILD AT THE CHILD'S~~
6 ~~PLACEMENT NO LESS THAN ONCE EVERY:~~

7 (Ⓐ) ~~MONTH, IF THE PLACEMENT IS IN THE STATE; OR~~

8 (Ⓗ) ~~3 MONTHS, IF THE PLACEMENT IS OUTSIDE THE STATE;~~

9 (2) ~~THE COURT MAY ORDER THE LOCAL DEPARTMENT TO VISIT THE~~
10 ~~CHILD MORE FREQUENTLY THAN REQUIRED BY ITEM (1) OF THIS SUBSECTION IF~~
11 ~~THE COURT DEEMS IT TO BE IN THE CHILD'S BEST INTERESTS; AND~~

12 (3) ~~[the] THE court may order the custodian to file periodic written~~
13 ~~progress reports, with copies sent to all parties.~~

14 3-8A-25.

15 If a child is committed under this subtitle to an individual or to a public or
16 private agency or [institution, the] INSTITUTION:

17 (1) THE JUVENILE COUNSELOR SHALL VISIT THE CHILD AT THE CHILD'S
18 PLACEMENT NO LESS THAN ONCE EVERY:

19 (Ⓐ) MONTH, IF THE PLACEMENT IS IN THE STATE; ~~OR~~

20 (Ⓗ) 3 MONTHS, IF THE PLACEMENT IS OUTSIDE THE STATE;

21 (2) THE COURT MAY ORDER THE JUVENILE COUNSELOR TO VISIT THE
22 CHILD MORE FREQUENTLY THAN REQUIRED BY ITEM (1) OF THIS SECTION IF THE
23 COURT DEEMS IT TO BE IN THE CHILD'S BEST INTERESTS; AND

24 (3) [the] THE court may require the custodian to file periodic written
25 progress reports, with recommendations for further supervision, treatment, or
26 rehabilitation.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2003.

